



Entered on Docket
February 24, 2009

A handwritten signature in black ink, appearing to read "Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re	)	BK-06-10725-LBR
USA COMMERCIAL MORTGAGE CO.,	)	Chapter 11
	)	STATUS
	)	Date: April 10, 2009
	)	Time: 9:30 a.m.
	)	PRETRIAL
	)	Date: September 30, 2009
	)	Time: 2:30 p.m.
	)	TRIAL
	)	Date: October 8 & 9, 2009
Debtor(s).	)	Time: 9:30 a.m.

**ORDER RE: PRE-TRIAL MATTERS; TRIAL;
AND SETTLEMENT CONFERENCE**

IT IS HEREBY ORDERED trial is set on the Objection to Claim 203 of Mountain West Mortgage Co./Lerin Hills in the amount of \$2,048,000, and the provisions checked below are hereby adopted by this court as its order.

The request for waiver is granted and no formal discovery plan is required to be filed.

The discovery plan filed by the parties shall govern the matters set forth therein.

Discovery shall be completed by the date shown in the Standard Discovery Plan.

The scheduling conference set with the issuance of the summons (or the continued scheduling conference) is hereby vacated.

1 ____ The parties shall participate with their clients in a settlement conference in
2 accordance with the Settlement Conference Order (a copy of which will be sent by the court).

3 The court may at a later time, either upon its own motion or at the request of counsel,
4 order a settlement conference.

5 A status hearing will be held on April 10, 2009 at 9:30 a.m.

6 A pre-trial conference will be held on September 30, 2009 at 2:30 p.m.

7 **TRIAL STATEMENTS**

8 ____ No trial statement is required.

9 X Each party shall file a trial statement (or counsel may meet and file a joint trial
10 statement)

11 ____ The parties shall file a joint trial statement.

12 Trial statements shall contain the information as shown on, and in the form of, Part "A"
13 attached hereto. Trial statements shall be filed on or before fourteen days before the pre-trial
14 conference, or if no pre-trial conference is set fourteen days before trial.

15 Any objections made pursuant to Fed. R. Civ. P. 26(a)(3) shall be made no later than five
16 days after the opposing party files its Trial Statement.

17 **PRETRIAL MOTIONS**

18 Motions in Limine must be filed 14 days prior to the pre-trial conference, or if no pre-trial
19 conference is set, ____ days before trial. Responses are due no later than five days thereafter.

20 **EXHIBITS/WITNESS LISTS**

21 Each party shall lodge and meet with the Courtroom Deputy Clerk not later than the day
22 before the trial the following:

23 (1) The original and 1 copy of all exhibits, bound and tabbed. All exhibits shall
24 be marked with stickers on the lower right corner of the exhibit whenever possible.

25 Log forms may be obtained from the Court's web site at www.nvb.uscourts.gov or from the
26 Courtroom Deputy Clerk.

1 All exhibits to which there are no objection shall be admitted by stipulation.
2 Counsel may stipulate to an exhibit on one ground (e.g., foundation) while preserving an
3 objection on another ground (e.g., relevance).

4 (2) List of witnesses with correct spelling of the witnesses' full name.

5 **Counsel must make an appointment with the respective Courtroom Deputy to meet
6 with them to lodge the exhibits.**

7 Trial of this matter is set for October 8th and 9th at 9:30 a.m. at 300 Las Vegas Blvd.
8 South, Las Vegas, Nevada, before Judge Linda B. Riegle in Courtroom #1, located on the Third
9 Floor.

10 **IT IS SO ORDERED.**

11
12
13 Copies sent through ECF to:

14 Rob Charles
15 John Hinderaker

16 and copies sent through BNC to:

17 Marjorie Guymon
18 2055 N. Village Center Circle
19 Las Vegas, NV 89134

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PART “A”

(Trial Statements)

The trial statement(s) shall contain the following items:

1. The disclosures required by Fed. R. Civ. P. 26(a)(3), as adopted by Fed. R. Bank. P. 7026 and LR 7026.
2. A concise statement of the nature of the action and contentions of the parties.
3. A statement as to the core or non-core jurisdiction of the Court, with legal citations.
4. Stipulated facts.
5. Contested issues of law with concise memorandum of authority.
6. Log of exhibits which may be offered in evidence, including any exhibits for impeachment or to refresh the memory of a witness.
7. Any special trial issue which requires the Court's attention.
8. The list of witnesses, with their addresses, expected to be called.

CERTIFICATE OF NOTICE

District/off: 0978-2
Case: 06-10725

User: lakaswm
Form ID: pdf928

Page 1 of 1
Total Served: 1

Date Rcvd: Feb 24, 2009

The following entities were served by first class mail on Feb 26, 2009.
+MARJORIE GUYMON, 2055 N. VILLAGE CENTER CIRCLE, LAS VEGAS, NV 89134-6251

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 26, 2009

Signature:

